

Senate Bill 225

By: Senators Stoner of the 6th, Thompson of the 5th, Jones of the 10th, Hill of the 32nd and Rogers of the 21st

AS PASSED

AN ACT

To amend Chapter 44 of Title 36 of the Official Code of Georgia Annotated, relating to redevelopment powers, so as require training with respect to redevelopment powers, programs, and tax allocation districts; to provide for applicability and funding; to provide for the scope of review of proposed tax allocation districts by boards of education in determining whether to consent to the inclusion of educational ad valorem property taxes as a basis for computing tax allocation increments; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 44 of Title 36 of the Official Code of Georgia Annotated, relating to redevelopment powers, is amended by adding a new Code section to read as follows:

"36-44-5.1.

(a)(1) At any time after the passage of a local Act approving the exercise of redevelopment powers under this chapter and prior to the date of the public hearing on the proposed redevelopment plan, but no later than 12 months after the date of approval of the referendum required under Code Section 36-44-22, each member of the redevelopment agency, each member of the local legislative body, and each member of the affected local board of education shall attend and complete at least three hours of training on redevelopment powers and programs and tax allocation districts.

(2) Such training shall be provided by an accredited university of this state or by a nonprofit membership association, the membership of which comprises local governing authorities in this state, which authorities shall include municipalities, counties, or school districts.

(b) The training required under this Code section shall only be required with respect to tax allocation districts created on or after July 1, 2007.

(c) All costs of operating and conducting the training program, if any, shall be paid for from the local governing authority's public funds appropriated for such purposes."

SECTION 2.

Said chapter is further amended in Code Section 36-44-9, relating to computation of tax allocation increments of districts, by adding a new subsection to read as follows:

"(g) When a board of education considers whether to consent to the inclusion of educational ad valorem property taxes as a basis for computing tax allocation increments as set forth in subsections (a) through (d) of this Code section:

(1) The board of education shall not make an independent inquiry as to the eligibility of the area for designation as a redevelopment area pursuant to paragraph (7) of Code Section 36-44-3;

(2) The board of education shall accept the findings made by the local legislative body as required by subparagraph (G) of paragraph (3) of Code Section 36-44-8 and shall not substitute its judgment as to those findings for the judgment of the local legislative body; and

(3) The board of education shall not consider estimates or projections as to the amount of educational ad valorem property taxes that would be included in the tax allocation increment that might be attributable to appreciation of property values within the tax allocation district that may occur even without the redevelopment outlined in the redevelopment plan."

SECTION 3.

(a) Except as otherwise provided in subsection (b) of this section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) Section 1 of this Act shall become effective on July 1, 2007.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.